

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Flieger, H. et al.

Serial No.: 10/803,358

Examiner: Nguyen, T.

Filing Date: March 18, 2004

Group Art Unit: 3751

For: SHOWER ARRANGEMENT

CONFIRMATION NO: 5839

COMMUNICATION RE NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice of Non-Compliant Amendment mailed July 5, 2006 and confirming a brief telephone discussion with Examiner Nguyen on August 1, 2006, applicant notes that the submission of June 24, 2004 was not an amendment. The only amendment in the file is the preliminary amendment filed March 18, 2004, which was compliant. A copy of the original application was included in a Response to Notice of Missing Parts filed June 24, 2004, namely as an attachment to a signed Inventors' Declaration referring to materials "... *attached hereto*." Examination should proceed based on the original application, as amended by the preliminary amendment filed March 18, 2004.

Respectfully submitted,

Date: August 1, 2006

/Stephan Gribok/
Stephan P. Gribok, Reg. No. 29,643
DUANE MORRIS LLP
30 South 17th Street
Philadelphia, PA 19103-4196
Tel. (215) 979-1283
Fax. (215) 979-1020
spgribok@duanemorris.com

Docket No. D4700-00386